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I hereby cartily that this correspondence is being deposited with the U.S. Postal Express Mail, Airbill No. EV 419929399 US, in an envelope addressed Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 19, 2004

Signature:

Docket No.: VTW-007

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Alexander Gelbman

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NOV 2 9 2004

Application No.: 10/071,732

Art Unit: 2675 Technology Center 2600

Filed: February 7, 2002

Examiner: D. Y. Chow

For: SMART ELECTRONIC LABEL EMPLOYING

ELECTRONIC INK

## AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

## **INTRODUCTORY COMMENTS**

In response to the Office Action dated May 21, 2004 (Paper No. 9), please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

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المر 2004 م					A	PTO/S red for use through 10/31/2002. OMI	B/17 (10-02)
Under the paperwork Reduction Act of 1995, no persons are requ	red to	respond	to a coll	ection o			
ENE TO A NICMITTAL					Com	plete if Known	
TRADE TRANSMITTAL		Applic	cation	Numb	er	10/071732-Conf. #2975	
for FY 2003		Filing	Date			February 7, 2002	
Patent fees are subject to annual revision.		First Named Inventor			itor	Alexander GELBMAN	
		Examiner Name				D. Y. Chow	
X Applicant claims small entity status. See 37 CFR 1.27		Group	Art U	nit		267DEOEN /5	_
TOTAL AMOUNT OF PAYMENT (\$) 490.00		Attorn	ey Doo	ket No	).	VTW-86F-CEIVE	
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Deposit Account 12-0080	Fee	Fee	Fee	Fee	-	Fee Description	See Deld
Number	Code	(\$)	Code	(\$)		_	Fee Paid
Deposit Account Lahive & Cockfield, LLP	1051	130	2051	65	_	e – late filing fee or oath	
Name The Commissioner is hereby authorized to: (check all that apply)	1052	50	2052	25	Surcharge sheet.	e – late provisional filing fee or cover	
X Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-Engli	ish specification	
Charge any additional fee(s) during the pendency of this	1812	2,520	1812			request for ex parte reexamination	
x application		·		920*		ng publication of SIR prior to	
Charge fee(s) indicated below, except for the filing fee	1804	920*	1804		Examiner	action TING PUBLICATION OF SIR	
to the above-identified deposit account.	1805	1,840*	1805	1,840*	AFTER	TING PUBLICATION OF SIR	
FEE CALCULATION	1251	110	2251			for reply within first month	
1. BASIC FILING FEE Large Entity Small Entity	1252 1253	410 930	2252	205 465		for reply within second month for reply within third month	490.00
Fee Fee Fee Fee Fee Description	1254	1,450	2254	725		for reply within fourth month	430.00
Code (\$) Code (\$) Fee Paid	1255	1,970	2254	985		, ,	
1001 750 2001 375 Utility filing fee 1002 330 2002 165 Design filing fee	1401	320	2401	160	Notice of	for reply within fifth month	
1003 520 2003 260 Plant filing fee	1402	320	2402	160		ief in support of an appeal	
1004 750 2004 375 Reissue filing fee	1403	280	2403	140	Request for	or oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to	institute a public use proceeding	
SUBTOTAL (1) (\$) 0.00	1452	110	2452	55		revive – unavoidable	
	1453	1,300	2453	650		revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE  Extra Fee from	1501 1502	1,300 470	2501 2502	650 235		e fee (or reissue)	
Total Claims 19 -49** = X = 0.00	1502	630	2502	315	Design iss		
Independent 4 -6** = X = 0.00	1460	130	1460	130	Plant issu-	to the Commissioner	
Claims	1807	50	1807	50		g fee under 37 CFR 1.17(q)	
Multiple Dependent = =	1806	180	1806	180		on of Information Disclosure Stmt	
Large Entity Small Entity Fee						each patent assignment per	
Code (\$) Code (\$)	8021	40	8021	40	property (	times number of properties) ubmission after final rejection	
1202 18 2202 9 Claims in excess of 20 1201 84 2201 42 Independent claims in excess of 3	1809	750	2809	375	(37 ČFR 1	I.129(a))	
1203 280 2203 140 Multiple dependent claim, if not paid	1810	750	2810	375		additional invention to be (37CFR 1.129(b))	
1204 84 2204 42 ** Reissue independent claims	1801	750	2801	375	Request f	or Continued Examination (RCE)	
over original patent  1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900		or expedited examination n application	
and over original patent	Other	fee (spe	cify)			· · · · · · · · · · · · · · · · · · ·	
SUBTOTAL (2) (\$) 0.00	*Redu	uced by E	Basic Fi	ling Fee	Paid	SUBTOTAL (3) (\$)	490.00
**or number previously paid, if greater, For Reissues, see above							
SUBMITTED BY						Complete (if applicable)	

SUBMITTED BY				Complete (	if applicable)
Name (Print/Type)	Anthony A/Laurentano	Registration No. (Attorney/Agent)	38,220	Telephone	(617) 227-7400
Signature	forthony with	tario		Date	November 19, 2004

in an envelope addressed to: MS Ame	e is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 419929399 US ndment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date
shown below.	
Dated: November 19, 2004	Signature: (Anthony A. Laurentano)

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## AMENDMENT TRANSMITTAL LETTER

Docket No. VTW-007

Application No. 10/071732-Conf. #2975

Filing Date February 7, 2002 Examiner D. Y. Chow

Art Unit 2675

Applicant(s): Alexander GELBMAN

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Invention: SMART ELECTRONIC LABEL EMPLOYING ELECTRONIC INK

NOV 2 9 2004

TO THE COMMISSIONER FOR PATENTS

Technology Center 2600

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below

		CLAIM	S AS AMENI	DED	
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
otal Claims	19	- 49 =		X	0.00
ndependent Ilaims	4	- 6 =		x	0.00
lultiple Depend	dent Claims (ch	eck if applicabl	e)		
Other fee (pleas	se specify): E	xtension for res	ponse within th	nird month	490.00
OTAL ADDIT	IONAL FEE FO	OR THIS AME	NDMENT:		490.00
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X Charge : Anthony A. Lau Attorney Reg. 1	m) auurle Mentano	ing or application	n processing f	fees required und Dated: _	der 37 CFR 1.16 and 1.17. November 19, 2004
28 State Street	CKFIELD, LLP t chusetts 0210	9			

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snown below.

Dated: November 19, 2004

(617) 227-7400

Signature:

Anthony A. Laurentano)